

**IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Gant

,

Plaintiff(s),

v.

Northwestern Hospital,

Defendant(s).

Case No. 14 C 857
Judge Sharon Johnson Coleman

ORDER

Status hearing held on 5/23/2014 on pro se plaintiff's application to proceed in forma pauperis [4] and motion for attorney representation [5]. The Court grants plaintiff's in forma pauperis petition [4] and the motion for attorney representation [5] is denied without prejudice. The Court has a duty to review all complaints to determine if subject matter jurisdiction properly lies in this Court. Federal courts are courts of limited jurisdiction; "they have only the power that is authorized by Article III of the Constitution and the statutes enacted by Congress pursuant thereto." *Transit Express, Inc. v. Ettinger*, 246 F.3d 1018, 1023 (7th Cir. 2001) (internal quotations and citations omitted). Federal courts may hear only cases that raise a federal question, 28 U.S.C. § 1331, or in which the parties are citizens of different states and more than \$75,000 is in dispute. Here, the Complaint alleges injury, including the death of the plaintiff's mother, resulting from care and treatment administered by medical personnel at Northwestern Hospital. Plaintiff stated at the status hearing that he was attempting to allege a civil rights violation based on discrimination, which would confer federal jurisdiction. However, none of the factual allegations in the complaint support federal jurisdiction. The Court is not expressing an opinion on the underlying merits of any medical negligence claim that plaintiff may have on behalf of his deceased mother, but stating only that no federal jurisdiction exists for this Court to hear the case. The Complaint is dismissed without prejudice to allow plaintiff to pursue any potential claims he may have in Illinois State Court.

Date: 6/2/2014

/s/ Sharon Johnson Coleman

Sharon Johnson Coleman

United States District Court Judge

